

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES SECURITIES AND  
EXCHANGE COMMISSION,

Plaintiff,

- against -

COLLECTOR'S COFFEE INC., et al.,

Defendants.

SDJ INVESTMENTS, LLC, et al.,

Intervenor-Plaintiffs,

- against -

COLLECTOR'S COFFEE INC., et al.,

Intervenor-Defendants.

19 Civ. 4355

ORDER

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**VICTOR MARRERO, United States District Judge.**

On January 24, 2024, the Court held a telephone conference in this matter to determine the order of necessary proceedings following the jury trial in December 2023, which resulted in a verdict in favor of plaintiff Securities and Exchange Commission ("SEC") on the liability of Defendant Mykalai Kontilai ("Kontilai") and Collector's Coffee, Inc. ("Collector's Coffee, Inc.," and together with Kontilai, the "Defendants") under the United States securities laws. In addition to determining proper remedies on the SEC's claims, the Court must also schedule proceedings to resolve

outstanding claims and crossclaims among intervenor plaintiffs SDJ Investments, LLC, Adobe Investments, LLC, and Darren Sivertsen (together, the "Intervenor Plaintiffs"), intervenor defendant Jackie Robinson Foundation ("Intervenor Defendant"), and the Defendants.

The Court considered the SEC's and the Defendants' positions as set forth in their respective letters (see Dkt. Nos. 1496, 1497), as well as all positions raised during the telephone conference. The Court has already made clear that it will not conduct a jury trial to determine the remedies to which the SEC is now entitled. Repeated arguments to the contrary waste the time of all parties and the Court. (See, e.g., Dkt. No. 1320 (suggesting that Defendants should not repeatedly raise matters that have been duly decided).)

Accordingly, it is hereby **ORDERED** that any motion by plaintiff Securities and Exchange Commission with respect to the remedies it seeks against defendant Mykalai Kontilai or defendant Collector's Coffee, Inc. shall be filed no later than March 1, 2024. Responses shall be filed no later than April 5, 2024. Replies shall be filed no later than April 19, 2024.

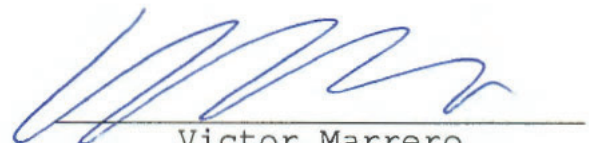
The Court will determine at a later date the precise order of proceedings with respect to the claims and crossclaims (the "Intervenor Claims") among intervenor

plaintiffs SDJ Investments, LLC, Adobe Investments, LLC, and Darren Sivertsen, intervenor defendant Jackie Robinson Foundation, and defendants Mykalai Kontilai and Collector's Coffee, Inc.

Parties with a position on the order of trial proceedings for the Intervenor Claims are directed to memorialize their respective positions by letters not to exceed three pages entered on the docket no later than 14 days from the date of this Order.

**SO ORDERED.**

Dated: 26 January 2024  
New York, New York

  
Victor Marrero  
U.S.D.J.